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December 1, 2006

Jeff S. Jordan, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5833

Dear Mr. Jordan:

The undersigned represent the Ohio Democratic Party, and Gayle Jackson, as Treasurer (collectively referred to as "ODP") in the above mentioned matter. This matter was generated by a complaint filed by the Ohio Republican Party. In its complaint, the Republican Party alleges that the ODP conducted a mailing that was not in compliance with the Federal Election Campaign Act ("the Act"). The complaint does not allege any facts from which the Commission could conclude that a violation of the Act occurred. Therefore the Ohio Republican Party's complaint should be dismissed.

During an internal investigation generated by this matter, the ODP has discovered that this particular mailing did not meet the volunteer requirements of the Act and the Commission's regulations. 2 U.S.C. § 431(8)(B)(viii); 11 C.F.R. § 100.147. Although the ODP conducted several mailings in compliance with the requirements of the Commission's "exempt activity" mailing requirements, due to a miscommunication between ODP staff, this particular mailing was not done utilizing volunteers as required by the Commission's "exempt activity" regulations. Accordingly, with respect to this particular mailing only, the ODP wishes to discuss an appropriate resolution of this matter with the Commission. The ODP's records indicate that it spent \$157,753.60 in connection with the mailing, which equally featured a federal and non-federal candidate. To the best of ODP's knowledge, the Sherrod Brown campaign had little or no participation in the creation or dissemination of this particular mail piece.

The ODP regrets this inadvertent error and understands the importance of compliance with federal regulations. The failure to utilize volunteers to disseminate this

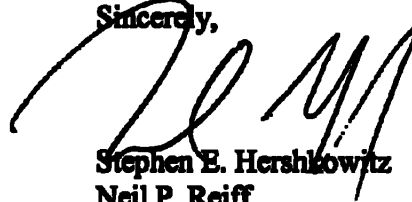
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FEDERAL ELECTION
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mail piece is uncharacteristic of the ODP's commitment to compliance with federal campaign laws and was an isolated event. Therefore, the ODP wishes to resolve this matter in an expedited fashion that could include any additional remedial actions recommended by the Commission. Please contact our office to discuss this matter further at your earliest convenience at (202) 479-1111.

Sincerely,

A handwritten signature in black ink, appearing to read "SEH", is written over the typed name of Stephen E. Hershkowitz.

Stephen E. Hershkowitz
Neil P. Reiff
Counsel to the Ohio Democratic
Party and Gayle Jackson, as
Treasurer

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